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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/727,708	12/04/2000	Richard C. Stanfield	05225.00001	3952

22907 7590 03/12/2003

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EXAMINER

MOONEYHAM, JANICE A

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 03/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/727,708

Applicant(s)

STANFIELD, RICHARD C.

Examiner

Jan Mooneyham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This application has been reviewed by the Examiner. Claims 1-23 are pending in this application.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention.

In Claim 1, the preamble identifies the invention as a system.. The applicant claims that the system is made up of "a plurality of business partners," and a processing center. A system cannot be made up of "a plurality of business partners." The system can connect to a plurality of business partners. Claims 2-6 read on Claim 1.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-12, 14, 16-19 are rejected under 35 U.S.C. 102(b) as being anticipated by DeLorme et al, hereinafter referred to as DeLorme, (US Patent No. 5,948,040).

Referring to Claim 1:

DeLorme discloses a system for electronic reservation referral (Figs 1a-9a), comprising:
a plurality of business partners (809);
a processing center (203, col. 8, lines 1-3), electronically connected to each of said plurality of business partners (Fig 8a);

wherein a consumer can contact any of said plurality of business partners and said processing center to place a reservation for goods or services (col. 10, lines 19-21);

said processing center searches databases of said plurality of business partners for additional goods or services relating to said goods or services addressed in said reservation (col. 6, lines 32-37) , and sends said consumer confirmation of said reservation (col. 11, lines 64-66), said confirmation comprising options to choose said additional goods or services (col. 11, line 64 thru col. 12, line 6).

Referring to Claim 2:

DeLorme et al also discloses a system for electronic reservation referral as recited in claim 1, wherein said confirmation is an email (col. 12, lines 6-10, col. 21, lines 27-30).

Referring to Claim 3:

DeLorme discloses a system for electronic reservation referral as recited in claim 1, wherein said plurality of business partners are travel-related businesses (col. 10, lines 19-21).

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Referring to Claim 4:

DeLorme discloses a system for electronic reservation referral as recited in claim 1, wherein said email comprises marketing impressions for at least one of said plurality of business partners (col. 11, line 64 thru col. 12, line 6, col. 14, lines 26-33).

The applicant should note that the term "marketing impressions" is not clearly defined in the application. However, the Examiner has tried to address the claim in view of the prior art as the Examiner best understands the claim.

Referring to Claim 5:

DeLorme discloses a system for electronic reservation referral as recited in claim 1, wherein said confirmation is a facsimile (col. 6, lines 41-46, col. 15, lines 16-22).

Referring to Claim 6:

DeLorme discloses a system for electronic reservation referral as recited in claim 1, wherein said confirmation is a letter (col. 6, lines 41-46, col. 7, lines 15-18).

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Referring to Claim 7:

DeLorme discloses a method of electronic reservation referral, comprising the steps of:
receiving a reservation or purchase of goods or services from a consumer of a one of a plurality of business partners (col. 10, lines 19-25, col. 11, lines 24-30).

searching databases of remaining ones of said plurality of business partners for additional goods or services relating to said goods or services addressed in said reservation (col. 10, lines 19-25);

sending said consumer a confirmation of said reservation with results of said searching provided in said confirmation (col. 11, line 65).

Referring to Claim 8:

DeLorme discloses a method of electronic reservation referral, as recited in claim 7, comprising the further step of determining if said reservation includes an email address for said consumer, and when an email address for said consumer is included, sending said confirmation as email (col. 12, lines 6-10, col. 21, lines 27-30).

Referring to Claim 9:

DeLorme discloses a method of electronic reservation referral, as recited in claim 8, further comprising the step of determining if said reservation includes a facsimile number for said consumer if no email address is included, and when only a facsimile number is included for said consumer, sending said confirmation as a facsimile (col. 6, lines 41-46, col. 15, lines 16-22).

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Referring to Claim 10:

DeLorme discloses a method of electronic reservation referral, as recited in claim 9, wherein said step of sending said confirmation is completed by letter (col. 6, lines 41-46, col. 7, lines 15-18).

Referring to Claim 11:

DeLorme discloses a method of electronic reservation referral, as recited in claim 8, wherein said results of said search included in said email confirmation are interactive hyperlinks solicit email addresses (col. 8, lines 1-3, col. 12, lines 6-10, col. 21, lines 27-30).

Referring to Claim 12:

DeLorme discloses a method of electronic reservation referral, as recited in claim 7, wherein when said consumer selects one of said additional goods or services, said method further comprises the step of sending a confirmation of reservation of said additional goods and services to said consumer (col. 6, lines 32-46, col. 11, line 64 thru col. 12, line 6).

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Referring to Claim 14:

DeLorme discloses a method of electronic reservation referral, as recited in claim 7, further comprising the step of including marketing impressions in said confirmation of said reservation (col. 6, lines 27-37, col. 11, line 64 thru col. 12, line 6, col. 14, lines 26-33).

The applicant should note that the term “marketing impressions” is not clearly defined in the application. However, the Examiner has tried to address the claim in view of the prior art as the Examiner best understands the claim.

Referring to Claim 16:

DeLorme discloses a method of electronic reservation referral, as recited in claim 7, wherein said plurality of business partners are all travel-related businesses (col. 10, lines 19-21).

Referring to Claim 17:

DeLorme discloses a method of electronic reservation referral, as recited in claim 16, wherein said plurality of business partners comprise hotels, airlines, taxi services, limousine services, attractions, state parks, rental cars, restaurants, meeting planning companies, fuel providers, theme parks, retail operations, convention industry, cruise lines, convention and visitor bureaus, travel agencies, and tour operators (col. 8, lines 40-48, col. 14, lines 27-33, col. 18, lines 48-53, col. 21, lines 45-48, col. 56, lines 28-33).

Referring to Claim 18:

DeLorme discloses a method of electronic reservation referral, as recited in claim 12, wherein said plurality of business partners are all travel-related businesses (col. 10, lines 19-21).

Referring to Claim 19:

DeLorme further discloses a method of electronic reservation referral, as recited in claim 18, further comprising the step of when said consumer selects one of said additional goods or services from one of said remaining ones of said plurality of business partners, said one of said plurality of business partners is informed of said selection of said additional goods or services (col. 12, lines 6-10)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 13, 15, 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeLorme as applied to claim 7 above, and further in view of Terry et al., hereinafter referred to as Terry, (US patent No. 5,495,600). Claim 15 reads on Claim 13 and Claims 21-23 read on Claim 20.

Referring to Claim 13:

DeLorme teaches the method of electronic reservation referral, as recited in claim 7. DeLorme does not disclose a method further comprising the step of sending additional confirmation at intervals between a time of said reservation and delivery of said goods or use of said services. However, Terry discloses sending additional confirmation at intervals between a time of said reservation and delivery of said goods or use of said services (col. 1-8, col. 8, lines 7-14)).

It would have been obvious to one of ordinary skill in the art to incorporate into the method of DeLorme the teaching of Terry to supply active reminders and to better monitor reservation data.

Referring to Claim 15:

DeLorme further discloses a method of electronic reservation referral, as recited in claim 13, further comprising the step of including marketing impressions in said additional confirmations (col. 11, line 64 thru col. 12, line 6, col. 14, lines 26-33)

The applicant should note that the term “marketing impressions” is not clearly defined in the application. However, the Examiner has tried to address the claim in view of the prior art as the Examiner best understands the claim.

Referring to Claim 20:

DeLorme discloses a method of electronic reservation referral, comprising the steps of:
receiving a reservation or purchase of goods or services from a consumer of a one of a plurality of travel-related business partners (col. 10, lines 19-25, col. 11, lines 24-30);

searching databases of remaining ones of said plurality of business partners for additional goods or services relating to said goods or services addressed in said reservation (col. 10, lines 19-25);

sending said consumer a confirmation of said reservation with results of said searching provided as interactive hyperlinks in said confirmation (col. 8, lines 1-3, col. 12, lines 6-10, col. 21, lines 27-30); and

determining if said reservation includes an email address for said consumer, and when an email address for said consumer is included, sending said confirmation as email (col. 12, lines 6-10, col. 21, lines 27-30);

wherein when said consumer selects one of said additional goods or services, said method further comprises the steps of:

sending a confirmation of reservation of said additional goods and services to said consumer (col. 6, lines 32-37, col. 11, line 64 thru col. 12, lines 6); and

informing said one of said plurality of business partners of said selection of said additional goods or services from said one of said remaining ones of said plurality of travel-related business partners (col. 12, lines 6-10).

DeLorme does not disclose a method comprising the steps of sending additional confirmation at intervals between a time of said reservation and delivery of said goods or use of said services. However, Terry discloses sending additional confirmation at intervals between a time of said reservation and delivery of said goods or use of said services (col. 1-8, col. 8, lines 7-14)).

It would have been obvious to one of ordinary skill in the art to incorporate into the method of DeLorme the teaching of Terry to supply active reminders and to better monitor reservation data.

Referring to Claim 21:

DeLorme discloses a method of electronic reservation referral, as recited in claim 20, further comprising the step of including marketing impressions in at least one of said confirmation of said reservation and said additional confirmations (col. 11, line 64 thru col. 12, line 6, col. 14, lines 26-33).

The applicant should note that the term “marketing impressions” is not clearly defined in the application. However, the Examiner has tried to address the claim in view of the prior art as the Examiner best understands the claim.

Referring to Claim 22:

DeLorme discloses a method of electronic reservation referral, as recited in claim 20, wherein said plurality of travel-related business partners comprise hotels, airlines, taxi services, limousine services, attractions, state parks rental cars, restaurants, meeting planning companies, fuel providers, theme parks, retail operations, convention industry, cruise lines, convention and visitor bureaus, travel agencies, and tour operators (col. 8, lines 40-48, col. 14, lines 27-33, col. 18, lines 48-53, col. 21, lines 45-48, col. 56, lines 28-33).

Referring to Claim 23:

DeLorme discloses a method of electronic reservation referral, as recited in claim 20, wherein when said confirmation of said reservation fails to include an email address for said consumer, sending said confirmation of said reservation by one of facsimile, interactive voice recording and letter (col. 6, lines 41-46, col. 15, lines 16-22, col. 7, lines 15-18, col. 21, line 58 thru col. 22, line 6).

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

CitySearch, www.citysearch.com, retrieved from the Internet Archive WaybackMachine of date November 10, 1999, February 29, 2000.

Trip.com, www.trip.com retrieved from the Internet Archive WaybackMachine of dates January 16, 1999, March 1, 2000, and December 5, 2000.

PCT WO 00/52601, Global Reservation Systems, discloses a method and system for travel reservations over a computer network.

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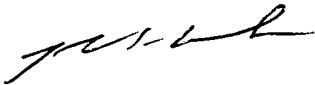
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jan Mooneyham whose telephone number is (703) 305-8554.

The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-3691 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

JAM
March 6, 2003


JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
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